United Nations A/70/867–S/2016/431

General Assembly
Security Council

Distr.: General
10 May 2016

Original: English

General Assembly
Seventieth session
Agenda item 44
Question of Cyprus

Security Council
Seventy-first year

Letter dated 5 May 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 4 May 2016, addressed to you by a representative of the Turkish Republic of Northern Cyprus, Mehmet Dânâ (see annex).

I would be grateful if the text of the present letter could be circulated as a document of the General Assembly under agenda item 44, and of the Security Council.

(*Signed*) Y. Halit **Çevik**
Permanent Representative

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Annex to the letter dated 5 May 2016 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 21 April 2016 addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (A/70/841-S/2016/364), which yet again contains false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As for the false assertions regarding the "illegally issued two notices to airmen", it must be underlined that activities within the Ercan advisory airspace that require notices to airmen are coordinated with the relevant authorities of the Turkish Republic of Northern Cyprus in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claim in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all air and sea ports in Northern Cyprus as "illegal", is in complete contravention of international law, as well as the call made by the then Secretary-General, Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), in which he clearly states "I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development,

deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)".

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2015 alone, the number of passengers that used Ercan Airport stood at nearly 3,500,000 (compared to 3,250,000 in 2014), while a 7 per cent increase in that number is expected in 2016. Moreover, in 2015, nearly 26,000 planes used Ercan Airport for arrival and departure, and around 210,000 planes used the Ercan advisory airspace, a total which is expected to increase by 7 per cent in 2016. In that respect, it must be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

At a time when the comprehensive settlement negotiations are progressing swiftly in a result-oriented atmosphere, I deem it necessary to stress the need to fully channel all our efforts towards achieving a just and lasting settlement of the Cyprus conflict in line with the established United Nations parameters and the Joint Declaration of 11 February 2014, which envisage a new partnership on the basis of the political equality of the two peoples of the island within the framework of a bizonal, bicommunal federation with two constituent States of equal status. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric, which is not reflective of the joint vision and cooperation expressed by the leaders of both communities on the island since the resumption of the settlement talks in May 2015. As the two future partners in the island of Cyprus, we should never lose sight of the fact that the solution of the Cyprus problem will comprehensively deal with all pending issues between the two sides and thus focus all our efforts towards the ultimate goal of settlement.

Finally, I would like to reiterate that, as the Turkish Cypriot side, we are committed to maintaining our constructive and positive stance within the context of your good offices mission in Cyprus and encourage our Greek Cypriot neighbours to follow a similar path.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus

United Nations A/70/868–S/2016/432

General Assembly
Security Council

Distr.: General
11 May 2016

Original: English

General Assembly
Seventieth session
Agenda item 34
Prevention of armed conflict

Security Council
Seventy-first year

Letter dated 7 May 2016 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I am writing to draw your attention to the persistent alarming situation on the Line of Contact between Nagorno Karabakh and Azerbaijan. Despite the calls of the international community to strictly commit to the 1994 ceasefire regime, halt the hostilities and return to the negotiating table, Azerbaijan continues to resort to military actions along the Line of Contact.

To date, the Azerbaijani armed forces have continuously attacked the positions of the Nagorno Karabakh Defence Army and civilian settlements with heavy artillery, mortars, multiple rocket launching systems and tanks. Since the halting of major hostilities at the beginning of April, the Nagorno Karabakh Defence Army has suffered a further 10 casualties as a result of military actions by the armed forces of Azerbaijan. The village of Mataghis and the town of Martakert in Nagorno Karabakh have been continuous targets of indiscriminate shelling by tanks and heavy artillery. I attach images of the inflicted damage (see annex I).

Particularly disturbing are the tactics employed by the armed forces of Azerbaijan of moving their positions within their own civilian settlements, from where they are then able to attack both military and civilian targets in Nagorno Karabakh. I attach images of deployment of the armed forces of Azerbaijan in evidence of such abhorrent tactics by which, in violation of humanitarian law, their civilian population is used as a human shield (see annex II).

Presently, there remains a considerably high concentration of troops and military equipment of the armed forces of Azerbaijan along the Line of Contact, which renders the situation highly precarious and points to the continuation of the aggressive policy by Azerbaijan against Nagorno Karabakh. Thus, Azerbaijan bears full responsibility for the present situation and the risks of its further deterioration.

Furthermore, Azerbaijan continues to obstruct the activities of the team of the Personal Representative of the Organization for Security and Cooperation in Europe (OSCE) Chairman-in-Office, in particular obstructing the monitoring of both the Line of Contact between Nagorno Karabakh and Azerbaijan and the border between Armenia and Azerbaijan.

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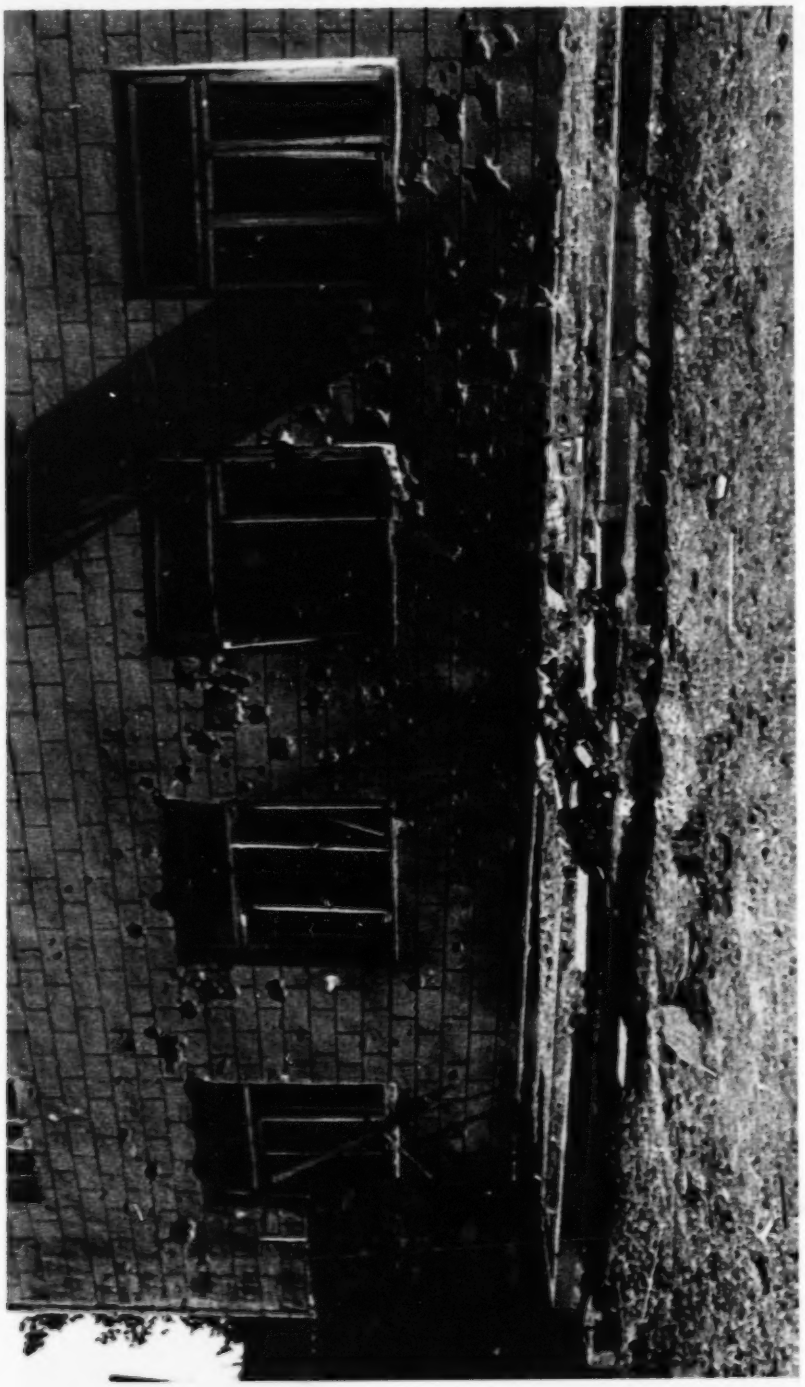
Today, it is imperative to preclude the future reoccurrence of what happened in the beginning of April and to ensure that the dangerous attempts to seek a military solution to the issue are effectively curbed. The implementation of the confidence-building measures proposed by the Co-Chairs will certainly serve that purpose, including the creation of the mechanism of investigation for the violations of the ceasefire and the capacity enhancement of the team of the Personal Representative of the OSCE Chairman-in-Office. It is also critical for the international community to urge Azerbaijan to strictly commit to the 1994 Trilateral Ceasefire Agreement between Nagorno Karabakh, Azerbaijan and Armenia and to the 1995 Trilateral Agreement on the Consolidation of Ceasefire.

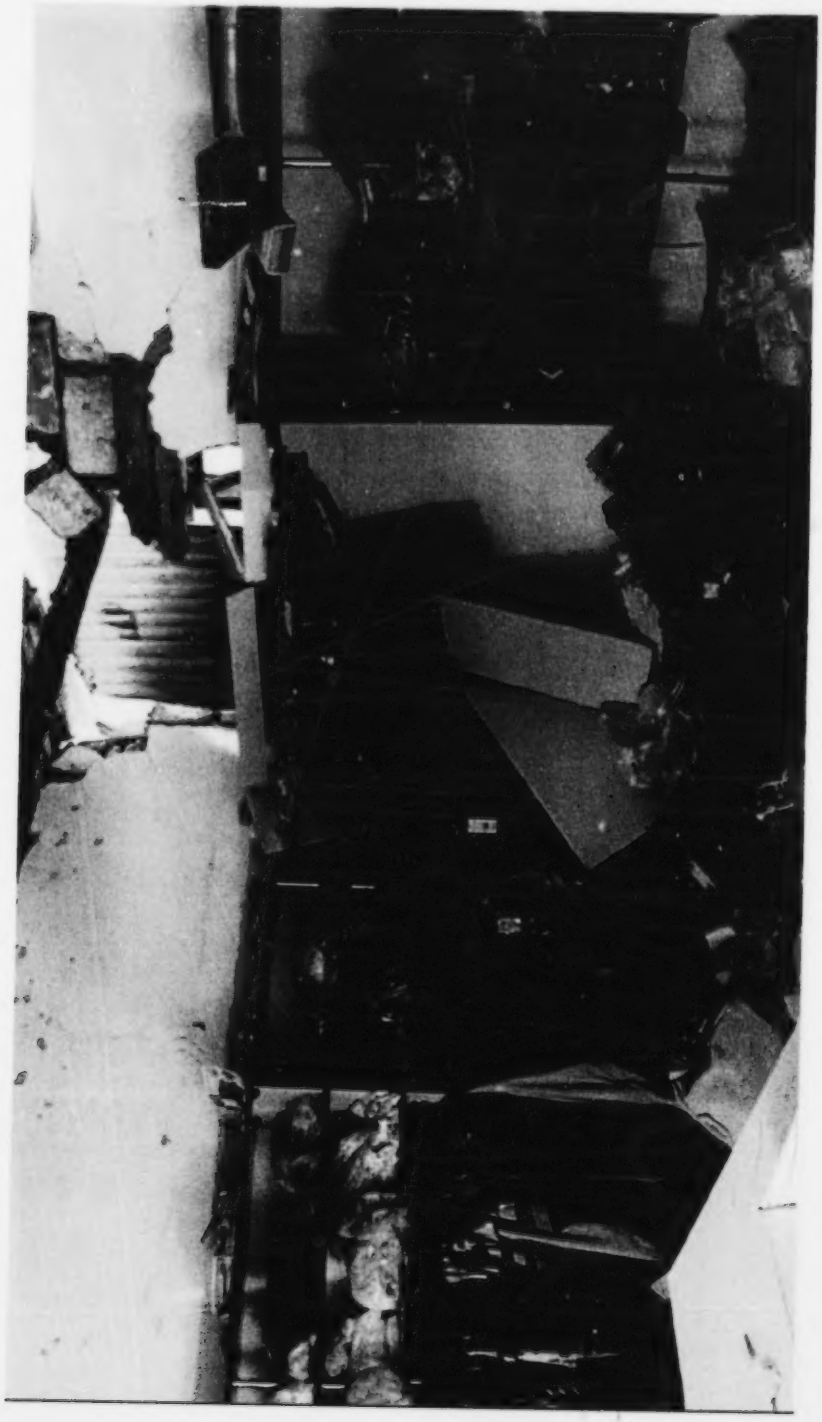
Such concrete steps could allow the restoration of the negotiation environment and continue the peace process, to which Armenia and Nagorno Karabakh remain wholly committed.

I kindly request that the present letter and the annexes thereto be circulated as a document of the General Assembly under agenda item 34, and of the Security Council.

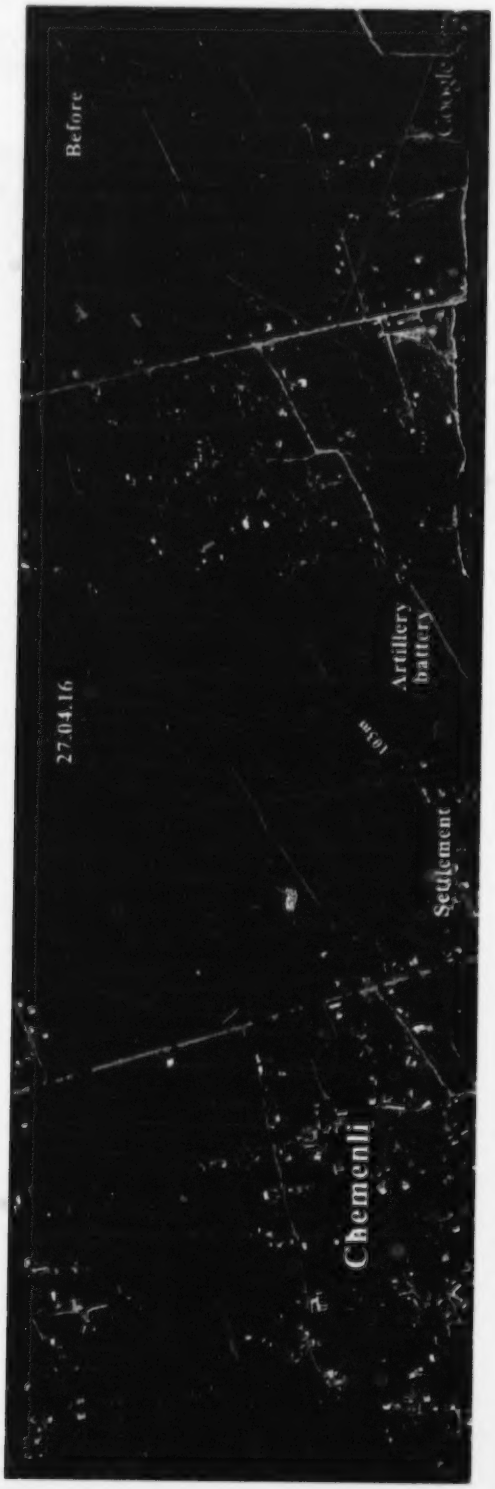
(*Signed*) Zohrab **Mnatsakanyan**
Ambassador
Permanent Representative

Annex I to the letter dated 7 May 2016 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General





Annex II to the letter dated 7 May 2016 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General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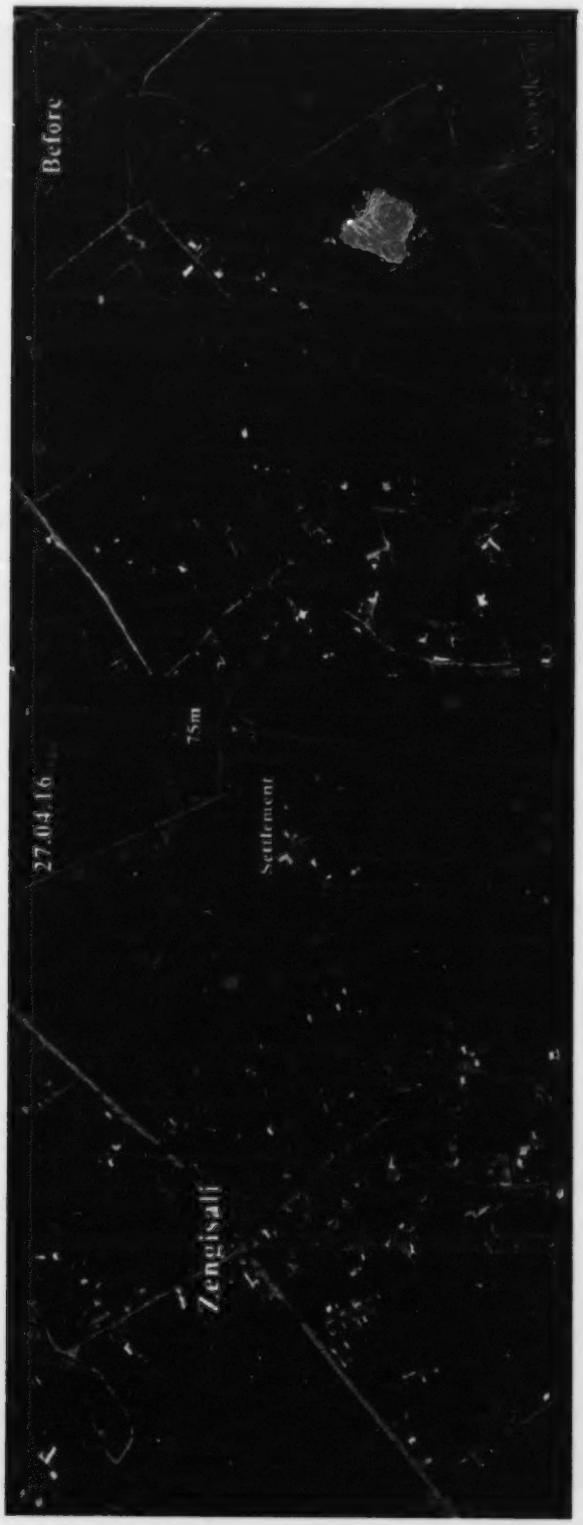
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Zengisali

Artillary battery
97m
Settlement
Zengisali
Military installations of Azerbaijani Armed Forces located in close vicinity to populated settlements in violation of Customary IHL(Rule 23, Article 52, Additional Protocol I to the Geneva Convention)
Settlement
93m
Artillary battery

Artillery battery
75m
Zengisali
Artillery battery
75m
Settlement
Military installations of Azerbaijani Armed Forces located in close vicinity to populated settlements in violation of customary IHL (Rule 23, Article 52, Additional Protocol I to the Geneva Convention)

United Nations A/70/869

General Assembly

Distr.: General
11 May 2016
English
Original: Russian

Seventieth session
Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 29 April 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you an appeal by the Ministry of Foreign Affairs of the Republic of Abkhazia to the Member States of the United Nations, the participating States of the Organization for Security and Cooperation in Europe and the member States of the Council of Europe (see annex).

I would be grateful if the appeal could be circulated as a document of the seventieth session of the General Assembly, under agenda item 35.

(*Signed*) V. **Churkin**

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Annex to the letter from the Permanent Representative of the Russian Federation to the United Nations dated 29 April 2016 addressed to the Secretary-General

Appeal by the Ministry of Foreign Affairs of the Republic of Abkhazia to the Member States of the United Nations, the participating States of the Organization for Security and Cooperation in Europe and the member States of the Council of Europe

In view of the repeated endeavours by the Georgian authorities to get the General Assembly to vote on the resolution on the situation of internally displaced persons and refugees from Abkhazia and South Ossetia, we consider it necessary to explain the position of Abkhazia on this issue.

In particular, we draw the attention of the members of the Assembly to the fact that, in March 1999, notwithstanding the lack of any resolution to the Georgian-Abkhaz conflict, the authorities of the Republic of Abkhazia, demonstrating their good faith and willingness to solve the problem of refugees, and also acting in pursuance of the provision of the quadripartite agreement of 4 April 1994 on the voluntary return of refugees and displaced persons, officially announced that the Abkhaz authorities were launching a process, on a unilateral basis, of returning Georgian refugees to the Gali district of Abkhazia.[1]

To implement this initiative by the Abkhaz authorities, a government commission has been set up under the First Deputy Prime Minister of Abkhazia, Konstantin Ozgan, to tackle issues related to the social and economic rehabilitation of the district and the creation of the necessary conditions for the orderly and safe return of refugees to the Gali district.

This unilateral initiative by the Abkhaz authorities has provoked a harshly negative reaction from Georgia, which alleges that the security of the returning refugees has not been fully assured.

Georgia has deliberately and systematically continued to escalate tension and to destabilize the situation in the Gali district. The Georgian authorities have organized various pickets and demonstrations on their side of the frontier, threatening and intimidating Georgian refugees returning to Abkhazia in an effort to prevent their mass return to the country.[1]

What the Georgian authorities are really worried about in this situation, however, is the unresolved core issue: under whose jurisdiction will the returning Georgian refugees find themselves? According to the Georgian authorities, refugees who return to the Gali district of Abkhazia before it is brought under the jurisdiction of Georgia will be lost to Georgia. Thus, in his article "We shall return in dignity to Abkhazia," the then Georgian Minister of State, Vazha Lordkipanidze, wrote: "Georgia sets the following conditions: refugees should return, not to an

[1] United Nations Observer Mission in Georgia, Report of the joint assessment mission to the Gali district (20-24 November 2000), para. 24.

independent Abkhazia, but to Georgia".[2] Similar statements were made on Georgian television by the then Georgian President Eduard Shevardnadze.

It is increasingly clear that the Georgian authorities are not interested in the return of refugees until Georgian jurisdiction over Abkhazia has been restored. All this is direct confirmation of the true intentions of Georgia, which is not seeking any solutions to the humanitarian issues and is constantly politicizing the process of refugee return.

According to the First Deputy Prime Minister of Abkhazia, Konstantin Ozgan, head of the government commission, the Georgian authorities had no interest in the return of refugees and were using them as a means of putting pressure on the Abkhaz leadership. To this end, they resorted to intimidation, took away people's passports, threatened to cut off the assistance provided by international humanitarian organizations, and other ruses. During a scheduled meeting between the members of the government commission and the local population in the Gali district a bomb went off, leaving several people, including members of the commission, with injuries of varying severity. These destructive actions by the Georgian authorities were designed to sow fear among local people returning voluntarily to their homes, and also to demonstrate to the international community the alleged inability of the Abkhaz leadership to restore order in this "problem" region.

This blatant aggression on the part of the Georgian authorities was noted by the United Nations fact-finding mission which worked together with OSCE in the Gali district of Abkhazia in November 2000. In paragraph 58 of its final report, the mission clearly states that, for a few years after the end of open hostilities, armed groups of Georgians carried out targeted attacks in the Gali district. In public statements by the leaders of the most widely known groups, such as the White Legion and the Forest Brothers, it was stressed that their main task was to secure the return of Abkhazia by force. Their immediate task was to create an atmosphere of fear and insecurity among refugees who had returned to the Gali district, in order to demonstrate that it was impossible to remain in safety in territory controlled by the Abkhaz authorities. To achieve this aim, they resorted to ambushes, kidnapping and the targeted laying of landmines.[3]

It became obvious that the Georgians were not going to facilitate the return of refugees, but instead would only hinder the process. As a result, the governmental commission suspended its work. It still proved possible, however, to arrange the return of some 50,000 Georgian refugees to areas of the Republic of Abkhazia, primarily the Gali district. Furthermore, the Gali district is not the only area of Abkhazia where Georgians live. According to the State Statistics Office of the Republic of Abkhazia, there are in total 13,329 ethnic Georgians living in other districts of Abkhazia.

This is perhaps the only example in the modern world of such a wide-scale return of refugees to an area before the end of an ethnic conflict.

Unfortunately, in spite of concerted efforts in the Republic of Abkhazia by various influential international organizations, including the Office of the United

[2] *Svobodnaya Gruziya* ("Free Georgia"), 11 March 1999.

[3] United Nations Observer Mission in Georgia, Report of the Joint Assessment Mission to the Gali District (20-24 November 2000), para. 58.

Nations High Commissioner for Refugees (UNHCR), which was directly responsible for monitoring the refugee return process, UNHCR experts have still been unable to verify the return of refugees to the Gali district and their return to the territory of the Republic of Abkhazia has therefore not been officially registered.

In response to repeated requests from the Abkhaz authorities, UNHCR conducted a study among Georgian refugees living in Georgia, regarding the conditions under which they would be willing to return en masse to Abkhazia. It is telling that, in the survey, 94.1 per cent of respondents stated that they would only return to Abkhazia after it had been reintegrated with Georgia. Only 2.5 per cent of the Georgian refugees are willing to return to their permanent homes in a Republic of Abkhazia which is independent of Georgia.[4]

At the same time the Georgian authorities are constantly manipulating figures on the numbers of Georgian refugees, deliberately misleading the international community. According to the latest figures on the Georgian side, as reflected in the quarterly report of the Ministry of Foreign Affairs of Georgia on the situation of human rights in Abkhazia and South Ossetia, at the current time the number of Georgian refugees from Abkhazia is allegedly around 430,000.[5] The Georgian delegation harps on these inflated statistics in their statements at various forums of the United Nations system and of international and regional organizations.

According to the 1989 Abkhaz census, however, there were 240,000 ethnic Georgians living in the territory of Abkhazia. Clearly the number of people who fled Abkhazia during the Georgian-Abkhaz conflict cannot be higher than this figure. Accordingly, the figure of 430,000 is invented and designed to misinform the international community, including the United Nations Member States.

For many years Georgia has been breaching the individual and collective rights of citizens of the Republic of Abkhazia, implementing deliberate measures to achieve the international isolation of the citizens of Abkhazia, obstructing their efforts to exercise their right to freedom of movement, and to have access to education and good quality medical care in foreign countries.

This policy is reinforced by Georgia at the legislative level. We refer here to the discriminatory Georgian act on the so-called "occupied territories", pursuant to which citizens of foreign countries entering the territory of the Republic of Abkhazia from the Russian Federation are liable to criminal prosecution in Georgia. These actions by the Georgian leadership directly contravene article 13 of the Universal Declaration of Human Rights, which affirms the right of every person to freedom of movement, and to leave any country, including their own, and to return to their country.

Attention is drawn to the need to review the discriminatory act on occupied territories by the European Commission in its 2014 report and recommendations on the implementation of the European Neighbourhood Policy in Georgia.[6] In the opinion adopted at its ninety-seventh plenary session on 6 and 7 December 2013,

[4] Intentions Survey on Durable Solutions: Voices of Internally Displaced Persons in Georgia, UNHCR, June 2015, p. 65, table 6.1b.

[5] First Quarterly Report (January-March 2015) of the Ministry of Foreign Affairs of Georgia on the Human Rights Situation in the Occupied Regions of Georgia, para. 1.2.

[6] Implementation of the European Neighbourhood Policy in Georgia: Progress in 2014 and recommendations for actions, p. 9.

the Venice Commission also urged the Government of Georgia to take that step, regarding the discriminatory Georgian act on "occupied territories".[7]

In this way, the Georgians are themselves wilfully contravening international human rights standards, depriving citizens of Abkhazia of the opportunity to exercise without impediment their rights to freedom of movement, to receive good quality education and medical care, to cultural, sporting and social interaction and to mobility for the purposes of study.

Given the above, the Abkhaz authorities once again insist on the need for their participation in the work of the main United Nations committees dealing with refugee issues, in order that they can put forward their own position to the representatives at the General Assembly. We firmly believe that this problem cannot be resolved without taking due account of the views and positions of the Abkhaz authorities.

Regrettably, the Abkhaz authorities have been prevented from having any contact with the main committees of the United Nations and the delegations of the United Nations Member States by the actions of the United States Department of State, which has exploited its country's position as the host of the United Nations routinely to refuse entry to the United States of America by the official representatives of the Republic of Abkhazia.

We call upon the Member States of the United Nations to give their attention to those actions of a discriminatory nature, which are in conflict with existing international standards, and to take the necessary measures to enable the Abkhaz delegation to travel to the General Assembly and to participate in the work of the main committees prior to the vote in the Assembly on the issue of refugees from Abkhazia and South Ossetia.

April 2016

[7] Opinion no. 744/2013 on the 2013 Draft Amendments to the Law on the Occupied Territories of Georgia, adopted by the Venice Commission at its 97th Plenary Session, Venice, 6-7 December 2013.

United Nations A/70/870

General Assembly

Distr.: General
11 May 2016
English
Original: Russian

Seventieth session
Agenda item 35
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Letter dated 29 April 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement issued by the Ministry of Foreign Affairs of the Republic of South Ossetia addressed to the States Members of the United Nations, the participating States of the Organization for Security and Cooperation in Europe and the States members of the Council of Europe (see annex).

I should be grateful if this statement could be circulated as a document of the General Assembly, under agenda item 35.

(*Signed*) V. **Churkin**

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Annex to the letter dated 29 April 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of the Republic of South Ossetia addressed to the States Members of the United Nations, the participating States of the Organization for Security and Cooperation in Europe and States members of the Council of Europe

Since 2009, Georgia has every year submitted a draft resolution to the General Assembly on the status of internally displaced persons and refugees from Abkhazia and South Ossetia. The text of the resolution imposed on the international community by Georgia contains no reference to the fact that the appearance of these refugees and internally displaced persons is directly related to the wars waged by Georgia against South Ossetia and Abkhazia. Nor is there any reference to the fact that over 100,000 Ossetians have become refugees as a result of ethnic cleansing in Georgia, and that the Georgian authorities have done nothing at all since then to solve the problems of the refugees.

The refugee issue has been a harsh reality of life for several generations in South Ossetia over the past 100 years. It began in June 1920, when Georgian forces carried out a brutal massacre and set fire to our entire country for refusing to recognize the authority of Georgia, which had decided to secede from Russia and take with it the Ossetian lands. Several thousand Ossetians then became victims of genocide. Almost the entire surviving Ossetian population was forced to flee through the passes of the Great Caucasus Range into Russian territory. The resettlement commission set up by the Georgian Government worked tirelessly for a few months to remove all Ossetians from the territory of South Ossetia and to relocate Georgian peasants to Ossetian lands, distributing among them the movable and immovable property confiscated from the Ossetians.[1]

Ossetian refugees were able to return only a year later, in 1921, after the Red Army had entered Georgia. The Bolsheviks then divided up Ossetia, handing over the southern area to the Georgian Soviet Socialist Republic, while the northern area remained part of the Russian Soviet Federative Socialist Republic. South Ossetia was granted autonomous status within the Georgian Soviet Socialist Republic, but that status was not sufficient protection for the national rights of the Ossetians, who suffered discrimination and harsh repression by the nationalistically inclined powers of Soviet Georgia. In the second half of the 1940s, about ten per cent of the Ossetian population in the autonomous district was forced to move to North Ossetia, thereby becoming forcibly displaced persons.

At the end of the 1980s, radical nationalism was on the rise in Georgia, and one of its regular slogans was "Georgia for the Georgians". There were open calls to remove all Ossetians and other non-Georgians from the country, abolish the autonomous status, forbid non-Georgians from having more than two children and prohibit the use of non-Georgian languages in the workplace and in education.

[1] Genotsid osetin: 1920 (dokumenty I materialy) [the genocide of the Ossetians: 1920 (documents and materials)], Tskhinvali, 2009, pp. 81-83.

Attempts by South Ossetia to establish legal guarantees for its autonomous status were categorically rejected, and a campaign was launched to abolish the autonomous status.

Georgian nationalists soon moved on from political declarations on the issue to violent action. The escalation of armed violence against the Ossetians not only in the territory of South Ossetia, but also within Georgia itself, resulted in a stream of refugees forced to flee from the Georgian gunmen. Ossetians from the Borjomi district of Georgia were forced to cross the mountain passes and seek refuge in Armenia. Hundreds of Ossetians disappeared without trace in Georgian territory.

Even Ossetians in South Ossetia began to experience harassment in villages with mixed populations. Their Georgian neighbours, influenced by propaganda and with armed support from Tbilisi, forced the Ossetians to abandon their homes, which were then looted and burned or were taken over by Georgians, just as had occurred in 1920. Ossetian villages were attacked by gangs of Georgian gunmen who massacred the Ossetian inhabitants and burned their homes. Unfortunately, these events did not receive adequate attention from the international community and these crimes were not duly condemned. Over 100,000 Ossetian refugees fled Georgia and Ossetian towns in South Ossetia in 1991 and 1992, and they found refuge, just as they had in 1920, in North Ossetia and other entities of the Russian Federation.

The ethnic cleansing and genocide of the Ossetians perpetrated by Georgia caused great concern. In May and June 1992 the Russian Federation, which could not stand idly by, applied all possible political leverage to compel Georgia to stop the armed violence. The agreement on principles for the settlement of the Georgia-Ossetia conflict[2] (Sochi agreement), signed in Sochi on 24 June 1992, provided for a ceasefire, the creation of a trilateral peacekeeping force (Georgia, Russia and South Ossetia) and the beginning of negotiations for the return of refugees. Over the intervening years, however, the number of Ossetians who have returned to Georgia and regained their property has not reached thousands or even hundreds. The Georgian forces have used all kinds of tricks to deny the Ossetians the right to the return of their seized property.

Nevertheless, the Georgian authorities have recognized the existence of the Ossetian refugee issue. The former President of Georgia, Eduard Shevardnadze, referred to this issue on several occasions. During the negotiations for a settlement of Georgia-Ossetia relations, some steps were taken to resolve the refugees' problems. According to the statement made following the meeting between the President of Georgia, Eduard Shevardnadze, and the President of the Republic of South Ossetia, Ludvig Chibirov, on 14 November 1997, the parties noted with satisfaction that over the past year some progress had been made with regard to the return of refugees. The Georgian side once again confirmed its willingness to facilitate the return of Ossetian families who had been forced to leave areas of Georgia that were outside the conflict zone on account of the illegal actions taken against them. It had been recognized that the year 1998 should be the year of the return of the refugees and forcibly displaced persons to their former places of residence, and the relocation was to be organized within the framework of the Joint Control Commission.[3]

[2] *Rossiyskaya gazeta*, No. 145, 26 June 1992.

[3] *Yuzhnaya Osetiya*, No. 65 (4771) (17 November 1997).

Under the agreement of 24 June 1992, the parties had established the Joint Control Commission on the settlement of the Georgia-Ossetia conflict. The Commission formed an ad hoc committee in 1997 to support the voluntary return of refugees and forcibly displaced persons and adopted a procedure for the voluntary return to their places of former permanent residence of refugees and persons forcibly displaced as a result of the Georgia-Ossetia conflict.[4] In the context of the committee's efforts, and with support from the Office of the United Nations High Commissioner for Refugees, a few hundred Georgian families had returned (mainly to the Znauri district) by 2004, whereas only a few dozen Ossetian families had returned to Georgia. Only four of those Ossetian families managed to stay there, while the rest were forced to return to North or South Ossetia because of the lack of even minimal living conditions for them in Georgia and the continuing threat to their security. The main reasons for Ossetians not returning to Georgia were and continue to be: the lack of security guarantees, the absence of a right to the return of their seized homes, the lack of job prospects and the lack of opportunity to receive an education in their native language or in the Russian language.

Under pressure from the international community, the Georgian authorities reported for a number of years on the preparation of a bill on property restitution and payment of compensation to victims of the conflict in the former South Ossetian Autonomous District in the territory of Georgia. The law was passed in 2006, but not a single Ossetian family has received compensation or had their rights to forfeited property upheld on the basis of that law.

In all of the intervening years, Ossetian refugees and forcibly displaced persons have received assistance only from the authorities of the Russian Federation and North Ossetia, the entity of the Russian Federation that received the main influx of refugees, the authorities of the Republic of South Ossetia and also, to a limited extent, the Office of the United Nations High Commissioner for Refugees. Thanks to this assistance, the majority of the refugees have settled down in their new areas, but they have not received any compensation from Georgia for the material and moral damage suffered. The pressing issue of Ossetian refugees from Georgia still needs to be addressed.

Over the period 2007-2008, the Georgian special services organized a continuous series of cruel terrorist acts and murders of Ossetians in an attempt to provoke retaliation. Having failed to achieve this goal, on the night of 8 August Georgian forces carried out an armed attack on South Ossetia.[5] North Ossetia once again received an influx of refugees. The North Ossetian services counted over 35,000 Ossetian refugees who crossed the border during the August war, most of them older people or women with children.

A few days after the invasion of South Ossetia had begun, the aggressor was stopped by Russian troops and forced to make peace. The Ossetian refugees began to return, and most of those who were displaced because of the 2008 war have now

[4] Protocol No. 7 of the 13 February 1997 meeting of the Joint Control Commission on the settlement of the Georgia-Ossetia conflict.

[5] After conducting an investigation, the special independent commission set up by a decision of the Council of the European Union of 2 December 2008, headed by Ms. Heidi Tagliavini, published its report on 30 September 2009, in which it was confirmed that Georgia had started the war (see Report of the Independent International Fact-Finding Mission on the Conflict in Georgia, September 2009, vol. II, p. 209).

returned. A few thousand Georgian-speaking inhabitants have also returned to South Ossetia (which has a total population of 53,500), to the Leningorsk district that had been liberated from Georgian occupation, an occupation that had lasted from 1992 to August 2008. Some of the ethnic Georgians who were removed by the Georgian authorities from the area of presumed military activity prior to the invasion, together with local fighters who took part in the attack on South Ossetia and then fled to Georgia, are still displaced.

The refugee issue was first taken up at the international level in the Geneva discussions that began in October 2008 under the Medvedev-Sarkozy plan. Several productive meetings took place in that forum in 2008 and 2009, at which the participants began to discuss approaches to the refugee issue. In 2009 the South Ossetian side unilaterally proposed an initiative for the return of refugees to the Leningorsk region. However, the Georgian side criticized and rejected this initiative.

Instead of consistently working to resolve the complex and multidimensional refugee issue, in 2009 Georgia chose to politicize the issue by introducing a draft General Assembly resolution on refugees and displaced persons from Abkhazia and South Ossetia, an action that it has repeated annually ever since. The heavily politicized text of this resolution, which the Georgian authorities have imposed on the international community, manipulates the humanitarian issue. Rather than an attempt to resolve the humanitarian problem, the text reflects Georgia's pursuit of a political goal — a declaration of the non-existent "territorial integrity" of Georgia within the borders of the former Georgian Soviet Socialist Republic.

While politicizing the refugee issue and reaffirming the need for humanitarian access, the Georgian authorities are in fact blocking such access and hindering contacts between representatives of international organizations and the refugees from Georgia who are now in South Ossetia. In October 2015, the Office of the United Nations High Commissioner for Refugees and the South Ossetian authorities reached an agreement regarding the visit to South Ossetia of representatives of the Office, who were to assess the situation of refugees living in collective accommodation in that country and consider the provision of additional humanitarian assistance. However, at the last minute, the representatives were forced to postpone their visit on account of interference from Georgia.

South Ossetia calls for the important humanitarian issue of refugees to be depoliticized. The country's legislation does not permit any discrimination against citizens on the grounds of ethnicity or religion. The population of the Republic has equal access to Government services without regard to ethnicity. There are schools in South Ossetia where pupils from the Georgian minority can receive their primary and secondary education in the Georgian language. Regardless of ethnicity, all citizens have the right to return to the country. At the same time, the direct exercise of this right will be determined to a large extent by the approach of the Georgian side to the issue of the ethnic Ossetians who were victims of ethnic cleansing by Georgia.

South Ossetia calls for a consistent and incremental solution to this problem in accordance with international law and taking into account the current situation in the region. These issues must be discussed in a forum at which Georgia, South Ossetia and Abkhazia are all represented, so that balanced and truly valid decisions, including with regard to refugees, can be taken. The only possible forum at present is the platform provided by the Geneva discussions on security and stability in the South Caucasus. In the General Assembly, however, Georgia is politicizing the issue

of refugees and forcibly displaced persons, and this is undermining the meaningful work on this issue conducted in Geneva. If Georgia prefers to bring the discussion of the refugee question to an authoritative international body such as the United Nations General Assembly, then South Ossetia insists that its representatives should be given the opportunity to present their position to the States Members of the United Nations.

Unfortunately, the South Ossetian side has been deprived of the opportunity for contact with the Main Committees of the General Assembly and with the delegations of States Members of the United Nations, as the United States State Department, abusing its position as the host country of the United Nations, refuses to grant entry into the United States to the official representatives of the Republic of South Ossetia.

We call on the States Members of the United Nations to address this discriminatory practice, which contradicts existing international norms, and take the necessary action to ensure that Ossetian representatives can enter the United States and have access to the United Nations Headquarters in New York so that they can present the position of the Republic of Ossetia on the refugee issue prior to the vote in the General Assembly on the issue of refugees from South Ossetia and Abkhazia.

April 2016

United Nations A/70/871–S/2016/434

General Assembly
Security Council

Distr.: General
12 May 2016
English
Original: Russian

General Assembly
Seventieth session
Agenda item 97
General and complete disarmament

Security Council
Seventy-first year

Letter dated 10 May 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Towards the end of April 2016, the delegation of Ukraine circulated two slanderous documents at the United Nations that had been prepared by Kiev for the 2016 Nuclear Security Summit held in Washington. Russia did not participate in that Summit, and we would not have commented on the false allegations of Ukraine had they not been brought by Kiev to the United Nations.

The anti-Russian attacks in those documents are unfounded and misleading. They are an attempt to shift the blame by turning the facts on their heads.

Russia has responded to those attacks in statements delivered by its delegation at the United Nations General Assembly and in document INFCIRC/876 of the International Atomic Energy Agency.

The real concern for States Members of the United Nations should not be the latest fantasies of the authorities in Kiev about Russian intrigues, but rather the extremely alarming security situation in Ukraine itself as a result of the policies of Kiev.

Extremist forces remain active and have arms at their disposal. The most striking examples are the attempt by the Right Sector, an organization banned in Russia, to seize control of a nuclear power plant in the southern Ukrainian city of Energodar in May 2014, and the shelling by Ukrainian armed forces of sites storing radioactive sources in Donbass, including a large radioactive waste disposal site in Donetsk.

The Kiev authorities have decided to persist with attempts to load nuclear fuel produced by a United States company into the reactors of Ukrainian nuclear power plants. That practice has already led to repeated problems with the operation of pressurized water reactors in Ukraine and in other countries.

Dangerous decisions are being taken to switch the output control mode of Ukrainian nuclear power plants to allow for a significant reduction in power output,

something for which the nuclear reactors operating in Ukraine were not designed. That in itself could result in nuclear accidents. The danger is far higher if fuel not designed for the plant reactors is also placed in their cores. In the year of the thirtieth anniversary of the Chernobyl nuclear power plant disaster in Ukraine, the Ukrainian authorities are engaged in dangerous experiments that could threaten the security of the whole of Europe.

The process of building infrastructure for the large-scale disposal of radioactive waste using the money of foreign sponsors, which began following the coup d'état in February 2014, is especially alarming. In particular, in June 2015 the Kiev authorities announced the opening of a central radioactive waste repository in the Chernobyl exclusion zone. Over the coming decades, Kiev intends to increase its storage capacity to be able to handle tens of thousands of cubic metres of spent radioactive sources. According to the experts, the capacities being built up significantly exceed the needs of Ukraine itself. It appears that the infrastructure being built is for the storage of foreign waste. In other words, the current authorities have decided to turn Ukraine into a nuclear dumping ground. Responsibility for the very likely adverse consequences resulting from the placement of radioactive waste in a politically and economically unstable territory lies not only with the authorities in Kiev, but also with the States that are providing assistance for the construction of such a storage facility and that intend to use it to store their radioactive waste.

The irresponsible calls of a number of Ukrainian politicians to build and even deploy a nuclear weapon have not gone unnoticed. We understand perfectly well that there is no real capability for politicians in Kiev to follow up on such plans. However, the fact that the Ukrainian elite has those intentions speaks volumes.

Thus, it is not the imaginary complaints of the authorities in Kiev that should concern States Members of the United Nations, but rather the emergence in Eastern Europe of a major source of instability threatening the entire Eurasian continent. And that threat is being compounded because critical and hazardous infrastructure from a once politically stable and developed State is now in the hands of the Kiev authorities.

I would like to take this opportunity once again to draw the attention of States Members of the United Nations to the statement on the thirtieth anniversary of the Chernobyl tragedy and modern-day nuclear security in Europe, adopted by the State Duma of the Federal Assembly of the Russian Federation on 15 April 2016.

I should be grateful if you would have the present letter issued as a document of the seventieth session of the General Assembly, under agenda item 97, and of the Security Council.

(*Signed*) V. **Churkin**